

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION

In re:

NEW ENGLAND CONFECTIONERY  
COMPANY, INC.

Debtor.

Chapter 7

Case No. 18-11217-MSH

**NOTICE OF PROPOSED ORDER WITH RESPECT TO  
FIRST OMNIBUS OBJECTION TO CLAIMS BY CHAPTER 7 TRUSTEE**

Harold B. Murphy, the Chapter 7 Trustee of New England Confectionery Company, Inc., hereby submits the proposed order attached as Exhibit 1 with respect to the *First Omnibus Objection to Claims by Chapter 7 Trustee* [docket no. 854]. Attached as Exhibit 2 is a redline comparison of the proposed order to the version of the proposed order attached to the *Report and Hearing Agenda* [docket no. 902].

Respectfully submitted,

HAROLD B. MURPHY, CHAPTER 7 TRUSTEE,  
By his counsel,

/s/ Christopher M. Condon  
Christopher M. Condon (BBO #652430)  
MURPHY & KING, Professional Corporation  
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Boston, Massachusetts 02108  
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Dated: May 4, 2021

**EXHIBIT 1**

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION**

In re:

NEW ENGLAND CONFECTIONERY  
COMPANY, INC.

Debtor.

Chapter 7

Case No. 18-11217-MSH

**ORDER REGARDING OMNIBUS OBJECTION TO CLAIMS**

This matter having come before the Court on the *First Omnibus Objection to Claims by Chapter 7 Trustee* [docket no. 854] (the “**Omnibus Objection**”)<sup>1</sup> filed by Harold B. Murphy, the Chapter 7 Trustee of New England Confectionery Company, Inc. (the “**Trustee**”); the Trustee having duly served the Omnibus Objection [docket no. 856, 857]; the Court having issued a notice of non-evidentiary hearing with respect to the Omnibus Objection [docket no. 858]; due notice of the scheduled hearing on the Omnibus Objection, including the response deadline with respect thereto, having been given by the Trustee [docket no. 862]; one response to the Omnibus Objection having been filed [docket no. 853]; the Trustee having filed a report and hearing agenda pursuant to Massachusetts Local Bankruptcy Rule 3007-1 with respect to the Omnibus Objection; the Court having jurisdiction over the Omnibus Objection pursuant to 11 U.S.C. §1334; the Omnibus Objection being a core matter pursuant to 28 U.S.C. §157(b)(2)(B); and due cause appearing therefor, it is hereby ORDERED that:

- Claim No. 133 of ADDCO INCORPORATED is hereby disallowed and expunged;

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<sup>1</sup> Capitalized terms not otherwise defined herein, shall have the meanings ascribed to them in the Omnibus Objection.

- Claim No. 14 of Co-Sales Northern Calif. is hereby disallowed and expunged;
- Claim No. 145 of Customized Energy Solutions is hereby allowed as a non-priority unsecured claim in the amount of \$51,278.12;
- Claim No. 163 of Dillon Boiler Services Co., Inc. is hereby disallowed and expunged;
- Claim No. 57 of Dynamic Packaging is hereby allowed as a non-priority unsecured claim in the amount of \$14,463.00;
- Claim No. 117 of Great Northern Insurance Co. is hereby disallowed and expunged;
- Claim No. 27 of Hockenburg Newburgh Sales and Marking is hereby allowed as a non-priority unsecured claim in the amount of \$4,989.72;
- Claim No. 66 of Industrial Silo Source Inc. is hereby allowed as a non-priority unsecured claim in the amount of \$29,172.66;
- Claim No. 3 of Mancini Sales & Marketing is hereby allowed as a non-priority unsecured claim in the amount of \$22,086.82;
- Claim No. 90 of McIntosh Box & Pallet Co. Inc. is hereby allowed as a non-priority unsecured claim in the amount of \$19,243.90;
- Claim No. 164 McIntosh Box & Pallet Co. Inc. is hereby disallowed and expunged;
- Claim No. 91 of Michael J. Kelley [Claim No. 91] is hereby disallowed and expunged; and
- Claim No. 129 of Sixto Packaging Managing Agent is hereby allowed a non-priority unsecured claim in the amount of \$76,782.87.

Dated: May \_\_\_\_, 2021

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Hon. Melvin S. Hoffman  
United States Bankruptcy Judge

**EXHIBIT 2**

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
EASTERN DIVISION**

In re:

NEW ENGLAND CONFECTIONERY  
COMPANY, INC.

Debtor.

Chapter 7

Case No. 18-11217-MSH

**ORDER REGARDING OMNIBUS OBJECTION TO CLAIMS**

This matter having come before the Court on the *First Omnibus Objection to Claims by Chapter 7 Trustee* [docket no. 854] (the “**Omnibus Objection**”)<sup>1</sup> filed by Harold B. Murphy, the Chapter 7 Trustee of New England Confectionery Company, Inc. (the “**Trustee**”); the Trustee having duly served the Omnibus Objection [docket no. ~~856~~[856](#), 857]; the Court having issued a notice of non-evidentiary hearing with respect to the Omnibus ~~Objections~~[Objection](#) [docket no. 858]; due notice of the scheduled hearing on the Omnibus Objection, including the response deadline with respect thereto, having been given by the Trustee [docket no. 862]; one response to the Omnibus Objection having been filed [docket no. 853]; the Trustee having filed a report and hearing agenda pursuant to Massachusetts Local Bankruptcy Rule 3007-1 with respect to the Omnibus Objection; the Court having jurisdiction over the Omnibus Objection pursuant to 11 U.S.C. §1334; the Omnibus Objection being a core matter pursuant to 28 U.S.C. §157(b)(2)(B); and due cause appearing ~~therefore~~[therefor](#), it is hereby ORDERED that:

<sup>1</sup> Capitalized terms not otherwise defined herein, shall have the meanings ascribed to them in the Omnibus Objection.

- Claim No. 133 of ADDCO INCORPORATED is hereby disallowed and expunged;
- Claim No. 14 of Co-Sales Northern Calif. is hereby disallowed and expunged;
- Claim No. 145 of Customized Energy Solutions is hereby allowed as a non-priority unsecured claim in the amount of \$51,278.12;
- Claim No. 163 of Dillon Boiler Services Co., Inc. is hereby disallowed and expunged;
- Claim No. 57 of Dynamic Packaging is hereby allowed as a non-priority unsecured claim in the amount of \$14,463.00;
- Claim No. 117 of Great Northern Insurance Co. is hereby disallowed and expunged;
- Claim No. 27 of Hockenburg Newburgh Sales and Marking is hereby allowed as a non-priority unsecured claim in the amount of \$4,989.72;
- Claim No. 66 of Industrial Silo Source Inc. is hereby allowed as a non-priority unsecured claim in the amount of \$29,172.66;
- ~~□ Claim No. 51 of the Internal Revenue Service is hereby allowed as a non-priority unsecured claim in the amount of \$3,650.25 and as a subordinated unsecured claim pursuant to 11 U.S.C. §726(a)(4) in the amount of \$4,135.46;~~
- Claim No. 3 of Mancini Sales & Marketing is hereby allowed as a non-priority unsecured claim in the amount of \$22,086.82;
- Claim No. 90 of McIntosh Box & Pallet Co. Inc. is hereby allowed as a non-priority unsecured claim in the amount of \$19,243.90;
- Claim No. 164 McIntosh Box & Pallet Co. Inc. is hereby disallowed and expunged;
- Claim No. 91 of Michael J. Kelley [Claim No. 91] is hereby disallowed and expunged; [and](#)
- Claim No. 129 of Sixto Packaging Managing Agent is hereby allowed as a non-priority unsecured claim in the amount of ~~\$76,782.87~~; [76,782.87](#).
- ~~□ Claim No. 171 of US Department of Labor — OSHA is hereby allowed as a subordinated unsecured claim pursuant to 11 U.S.C. §726(a)(4) in the amount of \$23,336.00; and~~

~~□ Claim No. 185 of US Department of Labor OSHA is hereby disallowed and expunged.~~

Dated: May, 2021

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Hon. Melvin S. Hoffman  
United States Bankruptcy Judge